

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Armando Abuan, et al.,

NO. C 06-04342 JW

Plaintiffs,

**ORDER TO SHOW CAUSE RE:  
SETTLEMENT**

v.

Asset Acceptance, LLC, et al.,

Defendants.

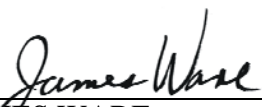
Pursuant to the Scheduling Order of this case, the parties were to file a joint Preliminary Pretrial Statement on June 8, 2007 in preparation for a Preliminary Pretrial Conference on June 18, 2007. (See Docket Item No. 14.) To date, the parties have failed to file their joint statement. Upon inquiry by the Court, Jeffrey Topor, counsel for Defendants, informed the Court that the above entitled action has settled. In light of counsel's representation regarding settlement, the Court vacates all trial and pretrial dates. On or before **June 18, 2007**, Plaintiff shall file a voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a).

If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8, 4th Floor, United States District Court, 280 South First Street, San Jose, Ca. on **June 25, 2007 at 9:00 a.m.** and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b). On or before **June 18, 2007**, the parties shall file a joint statement in response to the Order to Show Cause. The joint statement shall set forth the status of the activities of the parties for finalizing the settlement and how much additional time is requested to finalize and file the dismissal.

1 If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically  
2 vacated.

3 Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss  
4 this action.

5  
6 Dated: June 12, 2007

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Eric F. Fagan, efagan@efaganlaw.com  
3 Jeffrey A. Topor, jtopor@snllp.com  
Tomio Buck Narita tnarita@snllp.com

4 **Dated: June 12, 2007**

**Richard W. Wiekling, Clerk**

6 **By: /s/ JW Chambers**  
7 **Elizabeth Garcia**  
8 **Courtroom Deputy**